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OFFICE OF PETITIONS

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NEW YORK, NY 10111

In re Application of :  
Guillaume et al. :  
Application No. 10/613,351 : ON PETITION  
Deposited: July 3, 2003 :  
Attorney Docket No.: 08291-710003 :

This is a decision on the petition filed October 20, 2003 under 37 CFR 1.181 (a)(2), requesting that the above-identified application be accorded a filing date of July 3, 2003.

The application was deposited on July 3, 2003, claiming status as a divisional of prior application No. 09/937,050. However, on September 29, 2003, the Office of Initial Patent Examination mailed a "Notice of Incomplete Nonprovisional Application" stating that a filing date had **not** been granted and requiring drawings as described in the specification. The "Notice" further stated that the filing date would be the date of receipt of the omitted drawings.

In response, 3 sheets of drawings, including figures No. 1-6, a copy of the first page of patent No. 6,516,363, application 09/937,050 and the present petition were filed on October 20, 2003.

A review of the papers filed on July 3, 2003, reveals that the drawings were present in the USPTO on July 3, 2003, albeit in a copy of PCT/GB00/00939 (WO/00/56631). Since the papers filed on July 3, 2003, included drawings, on petition, the papers may be accorded a filing date of July 3, 2003.

The petition is granted. No petition fee is due. Deposit account 06-1050 is being refunded the \$130.00

The application is being returned to the Office of Initial Patent Examination for further processing with a filing date of July 3, 2003, using the copy of the PCT/GB00/00939 (WO 00/56631) supplied on July 3, 2003.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 306-0251.

Charlema R. Grant  
Petitions Attorney  
Office of Petitions